

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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EUGENE A. TODIE,

Plaintiff,

- against -

MEMORANDUM & ORDER
25-CV-0458 (PKC) (VMS)

P.O. BALLROOP, MICHAEL BOLTON,
NYSDOCCS Chairperson (Parole),
BK P.O. ID 790, BK P.O. ID 760,
VCBC Mailroom Officer (12/24/22),
Parole Warrant Squad JANE DOE 1,
Parole Warrant Squad JANE DOE 2,
Parole Warrant Squad JANE DOE 3,
Parole Warrant Squad JOHN DOE 1,
Parole Warrant Squad JOHN DOE 2,
Parole Warrant Squad JOHN DOE 3,
Parole Warrant Squad JOHN DOE 4,
GREGORY LEONE, and P.O. DUKE,

Defendants.

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PAMELA K. CHEN, United States District Judge:

On January 22, 2025, Plaintiff Eugene A. Todie, then incarcerated on Rikers Island,¹ proceeding *pro se*, filed this action against Defendants pursuant to 42 U.S.C. § 1983 (“§ 1983”) based on various incidents that allegedly occurred while Plaintiff was on parole. (Compl., Dkt. 1.) By Memorandum and Order dated February 26, 2025, the Court granted Plaintiff’s request to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915 and dismissed the Complaint with leave to file an amended complaint by March 31, 2025. (Mem. & Ord., Dkt. 6.) The Court notified

¹ Plaintiff notified the Court that he would be released on January 31, 2025, and provided the following anticipated address: 576 Eastern Parkway #2H, Brooklyn, NY 11225. (Compl., Dkt. 1, at 1.)

Plaintiff that the Clerk of Court would be directed to enter judgment and close the case if he did not file an amended complaint or request an extension of time to do so. (*Id.* at 6.)

By that deadline, Plaintiff did not file an amended complaint or contact the Court for an extension of time to do so. Mindful of Plaintiff's *pro se* status and that he indicated that he was scheduled to receive neurosurgery on February 25, 2025, (*see* Compl., Dkt. 1, at ECF² 15), the Court *sua sponte* extended the deadline for Plaintiff to file an amended complaint to April 30, 2025, (4/16/2025 Docket Order). Then, too, the Court notified Plaintiff that, should he fail to file an amended complaint or show good cause if he failed to do so within the time allowed, the Clerk of Court would be directed to enter judgment and close the case. (*Id.*) To date, Plaintiff has not filed an amended complaint or requested an extension to do so. Accordingly, the Clerk of Court is respectfully directed to enter judgment, close this action, send a copy of this Order to Plaintiff, and note the mailing on the docket.

The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Memorandum and Order would not be taken in good faith and therefore *in forma pauperis* status is denied for the purpose of an appeal. *Coppedge v. United States*, 369 U.S. 438, 444–45 (1962).

SO ORDERED.

/s/ Pamela K. Chen

Pamela K. Chen

United States District Judge

Dated: May 22, 2025
Brooklyn, New York

² Citations to “ECF” refer to the pagination generated by the Court’s CM/ECF docketing system and not the document’s internal pagination.